

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Khamsay Xayamonty,

File No. 20-cv-1566 (ECT/BRT)

Petitioner,

v.

ORDER

Warden J. Fikes, FCI-Sandstone,

Respondent.

Magistrate Becky R. Thorson issued a Report and Recommendation on October 14, 2020. ECF No. 10. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam).

Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 10] is **ACCEPTED**.
2. To the extent Petitioner challenges the BOP's decision regarding his individual placement, Petitioner's Petition for a Writ of Habeas Corpus [ECF No. 1] is **DENIED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction.
3. In all other respects, Petitioner's Petition for a Writ of Habeas Corpus [ECF No. 1] is **DENIED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY

Dated: November 12, 2020

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court